



Application No. 09/446,031

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OFFICE OF PETITIONS

In re Application of
Robert Zhong Lu et al
Application No. 09/265,788
Filed: March 10, 1999
Attorney Docket No. 08291/482001

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 10, 2003, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply within the meaning of 37 CFR 1.113 in a timely manner to the final Office action mailed December 17, 2002, which set a shortened statutory period for reply of three (3) months. A reply under 37 CFR 1.113 is limited to an amendment that *prima facie* places the application in condition for allowance, the filing of a continuing application, or Notice of Appeal (and appeal fee required by 37 CFR 1.17(b)). Since the amendment submitted does not *prima facie* placing the application in condition for allowance, no request for filing of a continuing application, and no Notice of Appeal (and appeal fee) was timely filed. Extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on April 18, 2003.

Telephone inquiries concerning this decision should be directed to Wan Laymon at (703) 305-9282.

The application file is being forwarded to Technology Center AU 1774 for processing of the request for continued examination (RCE) under 37 CFR 1.114.


Wan Laymon

Petitions Examiner
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for Patent Examination Policy